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## PART - V

**GOVERNMENT OF MEGHALAYA**

**MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT**

**ORDERS BY THE GOVERNOR**

### NOTIFICATION

The 16th March, 2011.

**No. LB.31/LA/2011/4.**—The Meghalaya Community Participation Bill, 2011 introduced in the Meghalaya Legislative Assembly on the 16th March, 2011 together with the statement of objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

#### THE MEGHALAYA COMMUNITY PARTICIPATION BILL, 2011

**A**

**Bill**

To provide for community participation in ward of Municipal Board of Meghalaya and for matter connected therewith.

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-second Year of the Republic of India as follows:-

**Short title extent  
and  
commencement**

1. (1) This Act may be called the Meghalaya Community Participation Act, 2011.  
(2) It extends to the Municipal areas of the State of Meghalaya.  
(3) It shall come into force on such date as the Government may, by notification in the Official Gazette.

**Definitions**

2. In this Act, unless the context otherwise requires,  
(a) "Ward" means Ward of the Municipality as notified under Act No. XV of 1957;

(b) "Ward Commissioner" means elected or nominated/appointed Commissioner of the Municipal Board;

(c) "Representative of Durbar/Council" means the Headman, the Secretary, the Nokma, and the Executive Member of the concerned locality/council;

(d) "Representative of Seng Kynthei" means the President, the Secretary and the Executive Member of the concerned Seng Kynthei;

(e) "Government" means the Government of the State of Meghalaya; and

(f) "Ward committee" means the Committee constituted under section 3 of this Act.

**Constitution of  
Ward Committee**

3. (1) With out prejudice to the Meghalaya Municipal Act (Assam Act of XV of 1957 as adapted by Meghalaya), there shall be a Ward Committee for each Municipal Ward to be constituted within 6 months of the constitution of the Municipal Board.

(2) Each Ward Committee shall consist of :-

(a) Ward Commissioner of the concerned Ward as Chairperson;

(b) Normally 5(five) representatives of localities who are eligible voters of the concerned Ward, to be nominated by the Government in consultation with concerned Durbar/Council or any other traditional representative body if exists. The tenure of the member so notified shall stand automatically terminated on demitting the office of the concerned Durbar/council/traditional representative body;

(c) (i) in case a ward consists of one locality only either wholly or partially not more than five persons shall represent that locality;

(ii) in case of a ward consisting of two localities either wholly or partially, not more than three persons shall represent each locality;

(iii) in case a ward consists of three or four localities wholly or partially not more than two persons shall represent each locality;

(iv) If a ward consists of five or more localities either wholly or partially not more than one person shall represent each locality.

(d) 5 (five) reputed persons consisting of at least 3 (three) women either from Seng Kynthei/women organization/individual who are the eligible voters of the concerned Ward to be nominated by the Government. The tenure of the members as notified shall stand automatically terminated on demitting the office of the Seng Kynthei/women organization.

(3) The Chair person may invite the Chief Executive Officer or any official of the Municipal Board during the meeting of Ward Committee, for guidance if required.

(4) The Government reserves its right to remove any or all the members of the Ward Committee at any time without giving any reason thereof.

**Term of the  
Ward Committee**

4. The term of the office of the Ward Committee shall co-exist with the term of office of the Municipal Board.

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- Function and duties of the Ward Committee** 5. (1) To prepare draft Annual Action Plan for development of the area within the Ward and submit to the Municipal Board for approval of the Board.
- (2) To execute and supervise the development works sanctioned by the Municipal Board.
- (3) To assist the Municipal Board in connection with-
- (a) management of Solid waste management,
  - (b) Sanitation work,
  - (c) Cleanliness of the area,
  - (d) Violation of building permission/bye laws during the construction,
  - (e) Maintenance of street light,
  - (f) Construction and renovation of roads/footpaths/ drains,
  - (g) Management of water supply,
  - (h) Timely payment of Municipal Taxes,
  - (i) Revision of Municipal Taxes etc.
  - (j) Any other functions and duties as may be prescribed by the Government from time to time.
- Sitting of the Ward Committee** 6. The Ward Committee shall sit at least once in a quarter and communicate the record of the meeting to the Municipal Board.
- Recommendation of Ward Committee** 7. All recommendations of the Ward Committee shall be placed before the Municipal Board for consideration.
- Power to make Rules** 8. (1) Subject to the provisions of this Act, the Government may make rules to provide for any matter which has to be or, may be prescribed.
- (2) Every rule made under this Act shall as soon as after it is made, be laid before the State Legislature of Meghalaya.

### STATEMENT OF OBJECT AND REASON

The Government of Meghalaya has decided to enact the Meghalaya Community Participation Bill, 2011 to provide a law where the community can have full participation in the decision making body in terms of management of civic affairs in the municipalities through out the state. The law will provide systematic participation of the people right from the ward/grass root level.

Hence, the Bill.

**P. TYNSONG,**  
Minister,  
Municipal Administration Department

**H. MYLLIEMNGAP,**  
Secretary,  
Meghalaya Legislative Assembly

### FINANCIAL MEMORANDUM

There will be no additional financial involvement from the Consolidated Fund of the State in implementing the provisions of the proposed Bill.

### MEMORANDUM OF DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Government to make rules for carrying out the proposed Bill and are of normal character.